
**Board Meeting
March 27, 2023
Draft minutes**

The Virginia Board of Accountancy met on Monday, March 27, 2023, at McGrew Tower Conference Center, Hampton University, 24 Indian Rd. Hampton, VA, 23669.

MEMBERS PRESENT:

Laurie A. Warwick, CPA, Chair
Wendy P. Lewis, CPA, Vice Chair
William R. Brown, CPA
Dale G. Mullen
David Cotton, CPA, CFE, CGFM
Nadia A. Rogers, CPA
D. Brian Carson, CPA, CGMA

LEGAL COUNSEL:

James Flaherty, Assistant Attorney General,
Office of the Attorney General

STAFF PRESENT:

Nancy Glynn, CPA, Executive Director
Renai Reinholtz, Deputy Director
Matthew Ross, Enforcement Director
Kelli Anderson, Communications Manager
Nicole Reynolds, Licensing and Operations Support
Nicholas Tazza, Manager, Licensing and Examination

**MEMBERS OF THE
PUBLIC PRESENT:**

Stephanie Peters, CEO, Virginia Society of Certified Public Accountants
Emily Walker, CAE, Vice President, Advocacy, Virginia Society of
Certified Public Accountants
Molly Wash, Academic and Diversity Outreach Director, Virginia
Society of Certified Public Accountants
Stephanie Saunders, CPA, NASBA Vice Chair
Dr. Ziette Hayes, Dean, James T. George School of Business,
Hampton University
Dr. Marc Lebow, Professor, Department of Accounting, Hampton
University
Sylvia Woody Rose, Esq., Assistant Dean, Assistant Professor, Hampton
University
Dr. Yan Jin, Faculty, Hampton University
More than 150 Hampton University students and faculty
Endalkachew Asfaw
Niles A. Elber, Esquire, Cono R. Namorato, Esquire and Benjamin Z.
Eisenstat, Esquire –Attorneys for Endalkachew Asfaw

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CALL TO ORDER

Ms. Warwick called the meeting to order at 9:30 a.m.

SECURITY BRIEFING

Ms. Reynolds provided the emergency evacuation procedures.

APPROVAL OF AGENDA

Upon a motion by Ms. Rogers, and duly seconded, the members voted unanimously to approve the March 27, 2023 agenda. The members voting “AYE” were Ms. Warwick, Ms. Lewis, Mr. Mullen, Mr. Cotton, Mr. Brown, Mr. Carson, and Ms. Rogers.

APPROVAL OF MINUTES

Upon a motion by Mr. Brown and duly seconded, the members voted unanimously to approve the January 9, 2023 Board meeting minutes, as presented. The members voting “AYE” were Ms. Warwick, Ms. Lewis, Mr. Mullen, Mr. Cotton, Mr. Brown, Mr. Carson, and Ms. Rogers.

PUBLIC COMMENT PERIOD

There were no public comments.

Enforcement Agenda – Matthew Ross, Enforcement Director

The following actions were taken during open session:

Case #2022-0246

The Board Members reviewed the enforcement record, which included the Informal Fact-Finding Summary and Presiding Officer Recommendation and exhibits.

Upon a motion by Mr. Cotton and duly seconded, the members voted to accept the Presiding Officer’s Recommendation in part and modify it in part. The Board accepted the recommendation in that they found by sufficient evidence that Respondent violated Board regulation 18VAC5-22-90. The Board modified the recommendation and found by sufficient evidence an additional violation of the Code of Virginia § 54.1-4413.3(7) in that Respondent falsely certified on his renewal application in 2021 and 2022, that he was in compliance with the CPE requirements of 18VAC5-22-90. The Board further accepted the penalties

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pursuant to Code of Virginia § 54.1-4413.4, recommended by the Presiding Officer, of \$875 for failing to complete 120 CPE hours during the three year reporting period, \$250 for failing to complete the VBOA-approved ethics course in 2019-2021, \$300 for false certification of CPE compliance on Respondent's license renewal application in 2021 and 2022 and that Respondent be subject to a CPE compliance review for the three year reporting period of 2023-2025. Additionally, as part of Mr. Cotton's motion, the Board required Respondent to provide proof of completion for 58 hours of CPE, instead of the 62 hours as recommended by the Presiding Officer, within 90 days and additionally provide proof of completion for the current year's VBOA-approved ethics course within 90 days.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
D. Brian Carson, CPA, CGMA – Aye

VOTE:

Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

Case #2022-0348

The Board Members reviewed the enforcement record, which included the Informal Fact-Finding Summary and Presiding Officer Recommendation and exhibits.

Upon a motion by Mr. Cotton and duly seconded, the members voted to adopt the Informal Fact Finding Summary and Presiding Officer Recommendation, finding the Respondent had violated 18VAC5-22-90 and imposed sanctions of \$1,125 for failing to complete 120 CPE hours during the reporting period of 2018, 2019 and 2020; \$250 for failing to complete 20 hours of CPE in 2018, 2019 and 2020; \$500 for not completing the VBOA-approved ethics course in 2018, 2019 and 2020; and a one year license suspension.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye

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Dale G. Mullen – Aye
William R. Brown, CPA – Abstain
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
D. Brian Carson, CPA, CGMA – Aye

VOTE:

Ayes: Six (6)
Abstain: One (1)
Nays: None (0)

Case #2022-0626

The Board Members reviewed the enforcement record, which included the Informal Fact-Finding Summary and Presiding Officer Recommendation and exhibits.

Upon a motion by Mr. Mullens and duly seconded, and duly seconded, the members voted to adopt the Informal Fact-Finding Summary and Presiding Officer Recommendation, as written, finding the Respondent had violated 18VAC5-22-90 and 18VAC5-22-170. The Board imposed sanctions of \$1,000 for failing to complete 120 CPE hours during the reporting period of 2019, 2020 and 2021; \$250 for failing to complete 20 hours of CPE in 2019, 2020 and 2021; \$500 for not completing the VBOA-approved ethics course in 2019, 2020 and 2021; \$300 for failing to respond to Board communication and a one-year license suspension.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
D. Brian Carson, CPA, CGMA – Aye

VOTE:

Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

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Case #2022-0562

Upon a motion by Mr. Carson and duly seconded, the members voted to accept the Consent Order as written.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Abstain
D. Brian Carson, CPA, CGMA – Aye

VOTE:

Ayes: Six (6)
Abstain: One (1)
Nays: None (0)

Case #2022-0237

Upon a motion by Ms. Lewis and duly seconded, the members voted to accept the Consent Order as written.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
D. Brian Carson, CPA, CGMA – Abstain

VOTE:

Ayes: Six (6)
Abstain: One (1)
Nays: None (0)

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Case #2021-0089

The Board Members reviewed the enforcement record, which included the Informal Fact-Finding Summary and Presiding Officer Recommendation, transcript and exhibits.

Upon a motion by Ms. Rogers and duly seconded, the members voted to adopt the Informal Fact-Finding Summary and Presiding Officer Recommendation, as written, finding the Respondent had violated Code of Virginia § 54.1-111(A) (2), (3) and (4); §54.1-4409.1(A); §54.1-4414 (i) (2) and (4) and (ii) (2) and (4); §54.1-4412.1(F) by her unlicensed use of the CPA title. The Board imposed sanctions of a \$5,000 fine and that Respondent cease using the CPA title and have it removed from her website.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
D. Brian Carson, CPA, CGMA – Aye

VOTE:

Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

Case #2022-0378

The Board Members reviewed the enforcement record, which included the Informal Fact-Finding Summary and Presiding Officer Recommendation, transcript and exhibits.

Upon a motion by Ms. Rogers and duly seconded, the members voted to adopt the Informal Fact-Finding Summary and Presiding Officer Recommendation, as written, finding the Respondent had violated Code of Virginia § 54.1-111(A) (2), (3) and (4); §54.1-4409.1(A); §54.1-4414 (i) (2) and (4) and (ii) (2) and (4) by their unlicensed use of the CPA title. The Board imposed sanctions of a \$500 fine.

CALL FOR VOTE:

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Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
D. Brian Carson, CPA, CGMA – Aye

VOTE:

Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

Case #2022-0385

The Board Members reviewed the enforcement record, which included the Informal Fact-Finding Summary and Presiding Officer Recommendation, transcript and exhibits.

Upon a motion by Mr. Mullen and duly seconded, the members voted to adopt the Informal Fact-Finding Summary and Presiding Officer Recommendation, as written, finding the Respondent had violated Code of Virginia § 54.1-111(A) (2), (3) and (4); §54.1-4409.1(A); §54.1-4414 (i) (2) and (4) by his unlicensed use of the CPA title. The Board imposed sanctions of a \$500 fine and removal of the CPA title from his biography on his employer's website.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
D. Brian Carson, CPA, CGMA – Aye

VOTE:

Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

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Financial and Board Report update

Ms. Reinholtz presented the Financial and Board Report as of February 28, 2023. Ms. Reinholtz fielded questions by the Board.

Ms. Reinholtz presented the draft FY22 financial statements. Upon a motion by Ms. Lewis and duly seconded, the members voted to approve the FY22 financial statements.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
D. Brian Carson, CPA, CGMA – Aye

VOTE:

Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

Enforcement update

Mr. Ross reported on the progress of the Enforcement Division. He fielded questions from the Board. Mr. Ross indicated that the Enforcement Division would soon be seeking a new Enforcement Investigator.

Welcome VBOA and Students

Dr. Hayes warmly welcomed all attendees and thanked Ms. Lewis, Ms. Walsh, and the Board for their support by coming to Hampton University to encourage and inspire the students.

Board Member/Staff Introductions and VBOA Overview

Ms. Warwick facilitated a brief presentation on the authority and functions of the VBOA. Each Board member introduced themselves and shared their inspiration for serving on the Board.

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Scholarship Awards

Ms. Rogers awarded the first of four scholarships, donated by EY and KPMG, to students in attendance.

PUBLIC COMMENT PERIOD

Ms. Walker informed the Board regarding the most recent session of the Virginia Assembly as it pertained to the status of the major initiatives by the VSCPA.

Ms. Peters addressed the attendees regarding the mission and role of the VSCPA and its relationship with students, its members and the VBOA. She emphasized that at present the issues of substantial equivalency and mobility are paramount for the VSCPA.

Ms. Peters also commented on the nationwide discussion surrounding the education requirements for CPA licensure and provided an update on the AICPA's Draft Pipeline Acceleration Plan (also referred to as the Proposed 8-point plan).

Building a Career in Accounting – Wendy P. Lewis, CPA

Ms. Lewis led an upbeat and informative presentation on the accounting profession and what it truly means to be a CPA. She discussed the facts and myths surrounding the profession, the possible career paths available to students and shared some of the positive experiences she has had as a CPA over the course of her career. Students participated in a question-and-answer session.

CPA Evolution: Changes to the CPA exam – Nadia A. Rogers, CPA

Ms. Rogers welcomed students and led a comprehensive presentation on the future of the accounting profession, the purpose and specifics of CPA Evolution and upcoming changes to the CPA exam. She outlined content changes, planned infrastructure and strategies for taking the new exam. Students participated in a question-and-answer session.

AICPA Proposed 8-point plan and UAA revisions – Stephanie Saunders, CPA, Vice Chair of NASBA

Ms. Saunders facilitated a presentation on the UAA revisions and NASBA's position on the proposed 8-point plan to ensure the CPA Pipeline of students meets future demands of the profession. She also discussed the 18-month exam period, uniformity among jurisdictions and NASBA's efforts to increase mobility and expand the pathways to achieving the additional 30 hours after qualifying to sit for the exam with 120 semester hours.

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Virginia Society of CPAs – Student Resources - Molly Wash, Academic and Diversity Outreach Director, VSCPA

Ms. Wash shared with attendees the ways in which VSCPA supports students on their pathway to the CPA. Among the contributions mentioned were the virtual CPA Exam Lunch and Learn, scholarship availability and a new mentoring program to be launched in the fall of 2023. She outlined the benefits of student membership in VSCPA.

Scholarship Awards

Ms. Rogers awarded the second scholarship to students in attendance.

RECESS FOR LUNCH 12 p.m.

RECONVENE 1 p.m.

PUBLIC COMMENT PERIOD- Enforcement

Mr. Asfaw and Counsel addressed the Board regarding the Board's Reconsideration of the Final Board Order issued at 2022-0070. The Board as part of their reconsideration was asked to accept additional documents as part of their reconsideration which included Mr. Asfaw's pre-sentence investigation report, transcript from Mr. Asfaw's sentencing hearing and a spreadsheet containing prior Board disciplinary actions.

COMMITTEE UPDATES

NASBA Education Committee

Ms. Rogers informed the Board of the following:

- An AICPA Board of Examiners Meeting was held on Feb. 23, 2023. During the meeting, the following issues were discussed: 1) CPA Exam Financial Update, 2) CPA Pipeline Initiatives Update, and 3) CPA Evolution Practice Analysis Standard Setting.
- NASBA's Education Committee met on Feb. 13, 2023. The committee welcomed a new Chair and formed an Education Research Grant Evaluation Task Force. They also discussed the CPA pipeline initiatives.
- NASBA's Accounting Pipeline Task Force met on Feb. 9, 2023, in Denver, Colorado (virtual participation was allowed for attendees who could not meet in-person). They discussed ideas and

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resources related to the CPA pipeline that could be made available and useful to state boards of accountancy. Each member signed up to research and provide deliverables for two items

identified during the meeting. On 3/24/23, they held another meeting to report on the status of their deliverables and share materials, if applicable, with the Task Force members.

EXECUTIVE DIRECTOR'S REPORT

General updates and UAA Exposure Draft - 24-month credit

- Ms. Glynn informed the Board regarding current VBOA personnel needs including the status of the IT specialist position. She discussed annual license renewals and provided a status update on the new learning management system.
- Ms. Glynn apprised the Board of attending the NASBA Executive Director and Legal Counsel Conference in February. Ms. Reinholtz and Mr. Ross were also in attendance.
- Ms. Glynn noted that the topic of amnesty credits may need to be discussed by the Board in the April 2023 meeting. She also discussed the 24-month credit extension, yet to be decided by the Board. Ms. Glynn fielded questions by the Board and suggested that NASBA be invited to the next Board meeting to discuss the subject. Ms. Rogers mentioned that comments to the UAA Exposure Draft were not due until April 17.

Board Discussion Topics

S.M.A.R.T. goal topics include:

Education for exam

Ms. Rogers reviewed, for students in attendance, the education requirements to sit for the exam. She advised the Board of proposed updates to the Education Handbook. Discussion ensued and Ms. Rogers fielded questions from the Board.

Upon a motion by Ms. Rogers and duly seconded, the Board voted to approve the revised Education Handbook.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye

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David Cotton, CPA, CFE, CGFM – Aye
D. Brian Carson, CPA, CGMA – Aye

VOTE:

Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

Enforcement Use of Title

Draft Guidance Document: Guidelines for Use of the CPA Title

Ms. Glynn credited Ms. Warwick, Ms. Lewis, Mr. Carson, and Mr. Cotton for their collaboration on the proposed changes to the current Board guidelines.

Ms. Glynn presented an overview for students in attendance, of the Use of the CPA Title in the Code of Virginia. She emphasized that most of the work of the Enforcement Division is that of protecting the public. She reviewed past discussions by the Board regarding the differing designations of Use of the Title. Board discussion followed.

Upon a motion by Mr. Brown and duly seconded, the Board voted to approve the revised Guidelines for Use of the CPA Title.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
D. Brian Carson, CPA, CGMA – Aye

VOTE:

Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

Board Elections – Nancy Glynn, CPA, Executive Director

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Ms. Glynn informed the Board that nominations have been received for Board elections to be held at the April Board meeting.

Begin closed meeting

Upon a motion by Ms. Lewis, and duly seconded, the members approved by unanimous vote the meeting be recessed and the Virginia Board of Accountancy convene a closed meeting under the Virginia Freedom of Information Act to a matter lawfully exempted from open meeting requirements under the 'Legal advice regarding specific legal matters' and 'personnel matters' exemptions contained in Virginia Code §2.2-3711 (A)(8) and Code §2.2-3711 (A)(1).

The following non-member will be in attendance for the closed meeting to reasonably aid in the consideration of this topic: James Flaherty.

The following non-member will be in attendance for a portion of the closed meeting to reasonably aid in the consideration of this topic: Nancy Glynn.

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
D. Brian Carson, CPA, CGMA – Aye

VOTE:

Ayes: Seven (7)

Nays: None

End closed meeting

Upon a motion by Ms. Lewis, and duly seconded, the Virginia Board of Accountancy convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the

Virginia Freedom of Information Act; and WHEREAS, § 2.2-3712 (D) of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law; NOW THEREFORE, BE IT RESOLVED, that the VBOA hereby certifies that, to the best

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of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia laws were discussed in the closed meeting to which this certification resolution

applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the VBOA.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
D. Brian Carson, CPA, CGMA – Aye

VOTE:

Ayes: Seven (7)
Nays: None

The following actions were taken as a result of the closed session:

Case #2022-0070

Ms. Lewis was not present and did not participate in the closed session.

Upon a motion by Mr. Mullen, and duly seconded, members voted to grant counsel's request to accept additional documents into the record as part of their reconsideration of the Final Board Order issued at 2022-0070. These documents included Mr. Asfaw's pre-sentence investigation report, transcript from Mr. Asfaw's sentencing hearing and a spreadsheet containing prior Board disciplinary actions. The Board will take action on Mr. Asfaw's petition for reconsideration at their meeting on April 24, 2023, to allow sufficient time for Board members to review the additional documents provided by counsel for Mr. Asfaw.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Abstain
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye

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D. Brian Carson, CPA, CGMA – Aye

VOTE:

Ayes: Six (6)

Abstain: One (1)

Nays: None

ADDITIONAL ITEMS FOR DISCUSSION

- Sign Conflict of Interest forms
- Sign Travel Expense vouchers

FUTURE MEETING DATES

- April 24, 2023
- June 12, 2023 – Planning Meeting
- August 29, 2023

ADJOURNMENT

There being no further business before the VBOA, Ms. Warwick adjourned the meeting at 3 p.m.

APPROVED:

Laurie A. Warwick, CPA, Chair

COPY TESTE:

Nancy Glynn, CPA, Executive Director